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SUBJECT: ACADEMIC FREEDOM IN CHINA STILL ELUSIVE

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3160

Classified By: Acting Political Section Chief Ben Moeling
for reasons 1.4 (b)(d)

1.(C) Summary: Professors from elite institutions in Beijing report that while they feel free to discuss sensitive political issues in class without fear of reprisal, their ability to voice the same ideas in more formal venues or in print is far more constrained. Although editors and publication restrictions have a role in limiting the scope of published academic discourse, self-censorship is the most pervasive factor in controlling written scholarship. Possession of banned books or articles is not treated as a serious offense, provided there is no intent to distribute to a wider audience. History, philosophy, and literature rank among some of the most sensitive fields, but the specific field matters less than a scholar's analysis. Narrowly-focused, concrete analysis that does not touch upon the one-party system is safe, but generalizations and abstract analysis are both dangerous. Professors in central government institutions have the freedom to criticize lower levels of government, but local university professors do not enjoy the same privilege. Chinese Communist Party (CCP) membership is a major feature of university life, at least in Beijing. PRC-Taiwan exchange is cumbersome, but PRC-Hong Kong academic exchanges are virtually borderless. Beijing professors are optimistic about the future of scholarship in China but warn that any increase in social instability could lead to a swift crackdown on academic freedom. End Summary.

SELF-CENSORSHIP REIGNS

12. (C) Qiao Mu (protect), Associate Professor of Media and Communications in the School of English and Communication Studies at Beijing Foreign Studies University (BFSU), told PolOff November 6 that "in China, there are just some things you do not say or do." Qiao explained that he treads carefully to keep his university and students "out of trouble." Professors generally faced no restrictions on teaching or lecturing. As long as provocative ideas remained in the lecture hall, they were not viewed as problematic by the government. During a separate meeting on November 19, Cheng Jie (protect), Associate Professor of Law at Tsinghua University and prominent freedom of information advocate, agreed, stating that "professors can say what they want, but newspapers cannot publish what they want." Although students sometimes reported professors who broached controversial subjects to university authorities, such incidents generally resulted in no consequences for the professors other than the embarrassment of being summoned to the dean's office.

13. (C) While professors could push the envelope in their

classrooms, formal lectures and symposia drew more attention and generally required official approval. Presentations were regulated according to the scale of the event with small audiences receiving little scrutiny. Qiao showed PolOff BFSU's formal regulations for convening discussion groups and inviting outside speakers, both of which required prior approval from the university. These regulations were frequently ignored, and "no one follows the rules," Qiao added.

14. (C) Academic publications were a different matter. Self-censorship in academic journals was widespread, Qiao stated. A professor's immediate superior, department head, or dean would step in to quash any controversial piece of writing to safeguard the university's reputation as well as the jobs of those in the chain of command. As a result, government censors encountered few objectionable manuscripts since nearly all sensitive content had been edited away by the time it reached them. The few sensitive texts that did make it to a publisher would be blocked by the board of editors, Cheng explained. Editors at academic presses were publishing professionals, not academic peers, and tended to be more conservative than the academic community. The editors were obliged to refer potentially sensitive writings to the appropriate government ministry (in Cheng's case the Ministry of Justice, which had jurisdiction over law school programs) or the propaganda department.

PUBLISH AND PERISH

15. (C) Printing anything for mass distribution without official permission was a crime, but offenders were generally only fined if the content was apolitical, Qiao noted. Possession or importation of banned publications also went largely unpunished. Customs agents sometimes confiscated banned books, but the traveler seldom even paid a fine. Photocopying banned print media in small quantities was also of no concern. However, publishing a politically sensitive book without authorization was tantamount to "heading a terrorist group" in the eyes of the authorities, Qiao believed. Punishment could be severe, ranging from incarceration to the death penalty. According to Qiao, there were two taboos in publishing. Yellow ("huang"), or obscene content, was a minor offense. Poison ("du"), or texts with an anti-Party or anti-government theme, were a far more serious matter.

CRITICISM FLOWS DOWNHILL

16. (C) Qiao stated he was free to criticize Beijing's municipal government in writing because BFSU was a central government institution. Local officials had no recourse against a critical professor who worked for a central government institution, and the central government was not particularly concerned about criticism directed towards a local government. However, a professor at a municipal institution such as Beijing Normal University, for example, could not safely publish the same report because the city government had jurisdiction over the university administrators, who in turn could retaliate against the professor through denial of grant money, promotion, or tenure. A severe infraction could even lead to dismissal (ref B).

SOME FIELDS ARE MINE FIELDS

17. (C) According to Jia Xijing (protect), Associate Professor of Civil Society and Governance at Tsinghua University's School of Public Policy and Management, history and CCP decision-making were the most sensitive academic fields. Even ancient Chinese history was sensitive because of potential parallels between historical and current political issues.

Post-1949 history was always hazardous. Textbooks glossed over the Great Leap Forward and Cultural Revolution by referring to them only with starting and end dates and little detail in between. Philosophy was also tightly controlled because of its potential to draw political conclusions. The humanities, social sciences and Chinese literature were replete with political supervision. Qiao noted the case of Chinese-born writer, artist, and political dissident Gao Xingjian. PRC textbooks, while noting the accomplishments of Japanese and Indian authors, ignored Gao, whose politically-charged works remained banned despite his winning the Nobel Prize for Literature in 2000.

18. (C) The sensitivity of legal studies depended on the specific field, explained Tsinghua University Law School professors Wang Chenguang (protect), a former dean, and Zhang Mo (protect), an Associate Professor in charge of a mid-career program on the U.S. legal system for judges, prosecutors, and lawyers from throughout China. Although civil or commercial law was not sensitive, Wang noted that constitutional law studies, and, to a lesser extent, criminal law were subject to close political scrutiny. Foreign legal systems could safely be studied "as a reference," added Zhang.

19. (C) Ethnic or minority studies, and even analysis of ethnic tensions, were not inherently problematic, provided that the author did not point to government policy as the source of the problems, noted Jia. Even policy recommendations on minority affairs were permissible as long as the author did not criticize existing policy. Scholarship on Tibet was not overly sensitive if framed in a non-critical context.

SURVIVAL TACTIC: NARROW THE AUDIENCE, NARROW THE TOPIC

110. (C) Officialdom was less concerned with publication intended for a limited, often elite, audience. Qiao believed writing in English offered "a great deal of relief" for academics who wished to push the envelope since it escaped the rigorous scrutiny received by domestic publications in Chinese. "Stupid bureaucrats don't speak English anyway," Qiao added. Academics also often protected themselves through specialization in their areas of research. For example, Qiao specialized in media freedom, but said he would never attempt to publish a paper on political freedoms in general. Jia agreed with this theory, stating that academics who published in areas such as philosophy, political science, and history were required to link their analyses to a specific issue and historical period. Abstractions and generalizations were potentially inflammatory.

111. (C) Academics were sometimes commissioned to conduct research for government entities, explained Cheng, who was asked to write a report about the current voting system giving city dwellers a much louder voice than rural residents in the People's Congress. Although writing an internal report for a government ministry should provide an avenue for candor, this was not true in Cheng's case. She was told beforehand that the paper must be "entirely positive" but nevertheless felt compelled to explain that the voting system was skewed and in violation of the constitution. Although the report would never have been made public, Cheng received a stern "no thank you" from the same officials who had requested the report in the first place. Ultimately, Cheng's report was never published. Even internal criticism was unwelcome, she concluded.

PARTY ON CAMPUS

112. (C) According to Cheng, the social sciences had at least

a
fifty percent China Communist Party (CCP) membership rate among both students and faculty at Tsinghua University, although rates "were lower than before." Other contacts provided much lower estimates of CCP membership rates among science and engineering faculties. In Cheng's field of constitutional law, "nearly everyone" was a Party member. Qiao confirmed that many academics were Party members, adding that he himself had joined the CCP about ten years ago, not out of ideological fervor but for networking opportunities and career advancement (ref C). In Qiao's view, belonging to the CCP only had two downsides: membership dues based on income and periodical meetings to learn the latest about leadership and goings-on within the Party.

¶13. (C) Wang Canfa (protect), Professor at China University of Political Science and Law (CUPL) and Director of the Center for Legal Assistance to Pollution Victims, was a member of the People's Congress of Beijing. Wang conducted research in the field of environmental law but was "not intimidated." He continued to publish factual data and draw objective conclusions about China's ecological woes. Wang believed he had steered clear of the censors by avoiding the topic of political reform. (Note: Wang's place within the political system may explain the unusually wide latitude he enjoyed in both research and NGO activities. End note.) Although a staunch supporter of environmental rights, Wang told PolOff that the Chinese constitution did not allow for political pluralism. He reasoned that academics who openly challenged the status quo deserved censure or worse.

GREATER CHINA COLLABORATION

¶14. (C) Cheng said she had made several short academic exchanges to Taiwan. In each case, she was required to submit an extremely detailed itinerary to her home university, the host university on Taiwan, and PRC officials associated with the Taiwan Affairs Office (TAO). Cheng recounted that she once was required to submit an hour-by-hour schedule when she accompanied her husband, who was also a law professor, to Taiwan but planned to do no work herself. Cheng first submitted a schedule showing blocks marked "free time" only to have it rejected on the grounds that "free time is not allowed." She was finally able to appease the bureaucrats by submitting a schedule full of fictitious appointments. There were no repercussions.

¶15. (C) In contrast to strict protocols governing travel to Taiwan, Cheng reported that there were no special procedures required to teach or conduct research in Hong Kong. Information flowed freely between Hong Kong and the Mainland despite "one country, two systems." Jia, who had been a visiting professor in Hong Kong, concurred, adding that Hong Kong academics enjoyed "a different environment." However, Jia believed that Hong Kong professors critical of Beijing received less favorable treatment and access to academic resources on the Mainland (ref A).

FUTURE OUTLOOK: FAVORABLE, BUT NOT A GIVEN

¶16. (C) Academic freedom has come a long way in the past ten years, contacts unanimously agreed. Zhang Mo's mid-career program would have been "unthinkable" twenty years ago, and even ten years ago Zhang had to tiptoe around lecture topics.

These changes could be attributed to a more relaxed policy towards academics, but the role of the Internet could not be ignored either. "Technology is inevitable," said Qiao, recalling the abortive Green Dam project designed to filter the Internet. Similarly, "no one is fooled" when, for example,

lines from President Obama's speeches were cut before they were posted on Chinese-language websites.

¶17. (C) However, China's social ills could lead to significant setbacks. The march of academic freedom is proceeding at a snail's pace, but the gains of the past ten years could vanish overnight in a single crackdown, several contacts feared. Ongoing instability in Xinjiang and Tibet, for example, could precipitate a return to the past, Jia believed. Academic freedom in the field of international relations had been "going backwards" already, Qiao noted. Furthermore, none of the contacts interviewed for this report believed that China would ever allow unfettered academic freedom. Jia envisioned China as "something between Singapore and Taiwan" several decades hence, even in a best-case scenario (ref B).

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